

AN ORDINANCE

BY: COUNCIL MEMBER CLAIR MULLER

AN ORDINANCE TO AMEND CHAPTER 154, UTILITIES, ARTICLE IV, SEWER CONSTRUCTION AND ASSESSMENTS, DIVISION 1. OF THE CITY CODE OF ORDINANCES FOR THE PURPOSE OF DEFINING SANITARY SEWER CONNECTION REQUIREMENTS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") provides sewer services to its citizens throughout areas of the City by and through its public sewer system ("Sewer System"), making sewer services generally available throughout the City; and

WHEREAS, a number of building applications are submitted to the City for consideration that contemplate the use of on-site sewer systems or septic tank systems as a means of sewerage disposal in areas where the City's sewer service is available or may become available; and

WHEREAS, the process of collecting and treating sewerage in the City's Sewer System results in the return of water to the original source of water, thereby replenishing a portion of the water that was originally consumed by the respective water user; and

WHEREAS, returning water to its source through the use of public sewer treatment system is critical as a means of minimizing consumptive water uses, particularly during this period of extreme drought and in the future for water conservation principles, generally; and

WHEREAS, the City joins other jurisdictions in the metropolitan Atlanta area in desiring to conserve water to endure that sufficient water supply is available through the use of its public sewerage system; and

WHEREAS, based upon available information and data, it is also known that septic tanks may fail without obvious knowledge of such failure, which may cause raw sewerage to seep into ground water and eventually pollute stream, rivers and water sources and threaten critical natural habitats occurring in those waterways; and

WHEREAS, in line with other regional jurisdictions, it is desirous for the City to require its citizens to connect to the public sewer system when public sewer is available in order to best protect its water sources, promote better water quality and conserve water for the public safety and general welfare of its citizens; and

WHEREAS, the Commissioner of the Department of Watershed Management recommends the amendment of Chapter 154, Article IV, Division 1 of the City's Code of Ordinances to define public sanitary sewer connection requirements for the reasons set forth above.

NOW THEREFORE BE IT AND IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA AS FOLLOWS:

Section 1. A new section shall be created within Division 1 of Article IV, Chapter 154, Utilities of the City's Code of Ordinances, entitled "Sanitary sewer connections mandatory", and shall include the following:

(a) all new construction permitted for PDH zoned, multifamily residential and commercial properties shall be served by public sanitary sewer.

(b) The owner of each house, building or property within the jurisdiction of the City used for human occupancy, employment, recreation or other purposes, abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the City, is hereby required at his or her expense to install suitable toilet facilities therein, and to connect the facilities directly into the city wastewater system in accordance with the City regulations within twelve (12) months after the official notice from the Commissioner; provided that a public sewer is within 100 feet of the owner's property line.

(c) Septic tanks or other approved on-site sanitary sewer systems may be permitted where public sewer is not available to the extent otherwise permitted by city regulations and the county health department.

Section 2. All ordinances in conflict with this ordinance are hereby repealed.